

Minutes
IOWA EMERGENCY RESPONSE COMMISSION
November 09, 2007 at 9:00 a.m.
Department of Natural Resources
Emergency Response and Homeland Security Unit
401 SW 7th Street, Suite I
Des Moines, IA 50309

Members Present:

Julie Bell
Jim Clark
#Elizabeth Christiansen
Dave Coppess
#Dean House
#Anne Jackson
Kathy Lee
Chris Scase

Absent:

#Jim Kenkel
#David Miller

Staff:

Pat Reitz - EPA
Paul Sadler - HSEMD
Lisa Sexton – HSEMD

Guests

Elonda Bacon
Barb Lynch
Lori Morrissey
AJ Mumm
Peggy Relitz

By Phone

Barbara Berquam
Mary Jones
Frank Magsamen
Don Peters
Steve Sadler
Mark Shears
Sherry Sievers
Matt Unger

Approval of Minutes

March 8, 2006

Motion to approve by Elizabeth Christiansen. Second by Dean House. Motion carried unanimously.

October 9, 2007

Motion to approve by Elizabeth Christiansen., Second by Dean House. Motion carried unanimously.

Welcome:

- New IERC members and Members of the Public

Correspondence, Speeches, Conference Reports

- Linn County LEPC meeting February 2007 – Paul Sadler. Presented a brief PowerPoint on the EPCRA and encouraged their LEPC.
- 2007 Region 7 LEPC/TERC Conference: August 16-19, 2007, Hyatt Regency Crown Center, KCMO. – Kathy Lee did the breakout session for Chris Scase. There was better attendance at breakout session this year because it was on a Saturday instead on a Sunday. Gary Brown did a session on cost recovery. Adam Broughton, DNR, is on the

LEPC Conference Planning Committee and recruited vendors – He does a real good job. Jim Clark said the breakouts were good and overall, it was a good conference. The Coordinators at the breakout session asked that they receive information about IERC meetings in the future. Kathy Lee said that the DNR's Video Conference will be available in the future. Attendance at the conference was low. May gear more to hazmat next time.

- Boards and Commissions Orientation Session October 2, 2007, Polk County Convention Center, in Des Moines. Paul Sadler and Sherry Sievers attended. There was a lot of good information presented, even for long timers. Paul said he wished all of the IERC members could have attended.
- Lisa Sexton just back from the HMEP meeting in LA. Charlie Rogoff talked about increase in HMEP. Money is there but need a reauthorization. Right now there is a continuing resolution. It may be 2 years before we see an increase. Possibly there will be more flexibility between planning and training. New DOT leadership means new changes in how HMEP is run, reports, exercises, etc. and how it will be run at the state level. Lisa gave Chris Scase a brochure for effective practices of grants program for her review.
- Hazmat symposium. Jim Clark, Lori, Dean House and some staff from HSEMD attended. It was the second best attended symposium ever. It was very successful.

Committee Updates: Membership / Reports

Executive – no report

LEPC Support/ Education – no report

Fee Legislation Study Committee – no report

- HMEP Grant Program Review Committee - Met May 14, 2007 via telephone conference call. The Committee was charged to reviewed the way the HMEP is allocated and looked at the way the grant is allocated to LEPCs. One of the problems is money that is returned or released at the end of the grant period.

HMEP Grant Program Review Committee:

Chris Scase

Julie Bell

Frank Magsamen

Kathy Lee

Jim Clark

IEMA – Scott Hansen

HSEMD – Paul Sadler, Lisa Sexton, Sue Dixon

As a result of discussion, an action plan was formed for the IERC to consider.

1. For now, there will be no cap or ceiling on the amount an applicant can apply for will not be acted on at this time. We have a good formula.
2. Next year the IERC will institute a rule that penalties of up to 25% will be assessed to applications based on past performances once a pattern is established.
3. For the current year, applicants will be notified that they need to draw down at least $\frac{3}{4}$ of their allocation or provide written commitments with timelines by July 1, 2007 or a portion of their allocation will be pulled back and reallocated. A letter will be sent out by June 2007.

New Business:

- Addition of Allamakee County to the Northeast Iowa Emergency Planning District. Paul Sadler explained that Allamakee County was a part of the discussions a year ago to include them when the Northeast Iowa Region was approved, but the necessary paperwork was not received from Allamakee County and the IERC moved on to approve the boundaries for the counties that had provided the required information. This agenda item is to add Allamakee to the NIEPD region as was originally intended. He said that Allamakee had completed all the requirements that the IERC had established years ago. Moved by Elizabeth Christiansen. Second by Anne Jackson. Motion carried unanimously.
 - Election of Vice Chair.- Susan Lagneaux's term expired this year and she was the Vice Chair. Dean House nominated Julie Bell and Elizabeth Christiansen second the nomination. Julie accepted the nomination. Mark Shear moved that nominations cease and cast an unanimous ballot. Motion carried unanimously.
 - Proposed amendment to 605 Iowa Administrative Code chapter 104, to implement 2007 Iowa Acts, SF 551, by changing the filing office for reports required under sections 311 and 312 of EPCRA [Section 302 & Tier II] from the department of workforce development to the department of natural resources. Copy of the changes is spread on the minutes. Chris explained that a rule change is necessary to align with legislation that was passed earlier this year to move the Tier II from Workforce Development to DNR. Anne Jackson and Elizabeth Christiansen gave some background to that. Kathy Lee said they will have an increased ability to provide statistics to support fee legislation. She also said that they would be doing a mailing to notify industry and Anne Jackson said that they will link the websites. DNR may be purchasing Tier II Manager. Anne Jackson said that last year she had a full label database to send out post cards. Julie said that industry appreciates that reminder.
- Moved by Elizabeth Christiansen to accept the administrative rules amendments for filing under notice with changes as agreed on. Second by Anne Jackson. Motion passed unanimously.
- Demonstration of the HERE system – Kathy Lee – moved to end of agenda.

Old Business:

Agency Reports

Homeland Security and Emergency Management Division

Section 301 – LEPC membership – Appointments and Resignations:

List of resignations spread on the minutes. Motion by Anne Jackson to approve the resignations, second by Elizabeth Christiansen. Motion carried unanimously.

LEPC Membership Report – Paul Sadler acknowledged that there is no way to certify that there are at least two members in each County LEPC. Some LEPCs have shown no activity since the 1996 and are assumed inactive. With an increase in HMEP grant money, perhaps there will be incentive for those LEPCs to become active again and provide membership lists and minutes to the IERC.

Section 303 – Plan Submissions. All 99 counties in Iowa have a hazardous materials emergency response plan that is compliant with the requirements of EPCRA.

Section 305 – Training Funds and Courses – Lisa Sexton, 2600 trained last year (per class), most in refresher.

Division of Labor

Section 302 & 312 – Tier II Reporting & facility Submissions – Anne Jackson. Has a clean list – DNR has provided a temp to input the last paper Tier II forms. 2006 - 3814 facilities and over 19000 chemicals.

Dept. of Natural Resources

Section 304 & Section 313 - Emergency Notifications & Form R Reporting
Form R completed. 400 reports received. DNR has received a grant to integrate with EPA's done by July 2008. Will be able to submit on line and only have to do it once.

Section 304 – 690 spills on track for average year. 709 last year and was lowest year. Unusual number of crop duster incidents. More crop dusters being utilized and therefore more accidents. Council Bluffs has added Page County to their response team. Tri-County will be approved at the next Hazmat Task Force meeting. Harrison Crawford and Shelby may follow. TRANSCAER – Rodney Tucker – looking at a joint website for registering participants for the 2008 TRANSCAER training tour. Focus on ethanol.

EPA Reports – Pat Reitz – Three handouts: spread on the minutes.

FEMA Reports – none

Public Comment –

- Frank Magsamen said the NIRG will be adding Cedar Falls to the area covered by the hazmat team.
- **Lori** – renewable fuels - DVD – responding to chlorine incidents. ...available through www.ethanolrfa.org
- **Jim Clark** - Jim Kenkel has been working on some rules for responding to ethanol incidents
- **Dean House** - Emergency Response Guidebooks 25,703 ordered. They will be going to DOT maintenance garages where counties can pick

Adjournment: meeting adjourned at 12:00 noon

Submitted by

Paul Sadler, Secretary